

REMARKS:

No claims have been amended by this Reply. Accordingly, claims 1-15 remain pending in this application. Applicants request reconsideration of the rejections set forth in the outstanding final Office Action and allowance of this application for at least the following reasons.

Interview Summary

Initially, Applicants would like to thank the Examiner for the courtesy of the personal interview conducted on April 28, 2005. The remarks made herein are consistent with the issues discussed and agreements reached during the interview.

Obviousness Rejections

In the outstanding final Office Action, claims 1, 4-8, and 12-14 were rejected under 35 U.S.C. §103(a) based on U.S. Patent No. 6,305,162 to Cobo et al. ("Cobo") in view of U.S. Patent No. 6,532,003 to Nagao ("Nagao"). Applicants respectfully traverse this rejection. A proper prima facie case of obviousness requires three elements: (1) there must be suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §2142. The obviousness rejection set forth in outstanding final Office Action does not establish that Cobo in view of Nagao teaches or suggests all of the claim limitations.

As discussed during the personal interview, independent claims 1 and 8 differ significantly from Cobo and Nagao. In particular, independent claims 1 and 8 recite, *inter alia*, delivering a desired command signal and a controlled parameter undesired command signal to at least one output. Neither Cobo nor Nagao disclose or suggest delivering a controlled parameter undesired command signal to at least one output.

Cobo discloses a method and apparatus for controlling the deadband of a fluid system wherein the fluid system includes a hydraulic circuit. The method includes receiving an operator input, determining a condition of the hydraulic circuit, determining a valve command in response to the circuit condition and the operator input, and delivering the determined valve command to the valve assembly. See column 2 lines 16-20 of Cobo.

Nagao discloses a data processing apparatus having a control element for detecting a false touch. The apparatus includes a coordinate detecting device (e.g., a computer mouse) outputting coordinate data of a touch point, a keyboard outputting key entry data, a processor executing predetermined processes, and a control element detecting false coordinate data generated by a false touch on a coordinate input panel. Nagao only treats data not determined to be false as valid data. The data determined to be false is prevented from being delivered to an output; “predetermined processes corresponding to such false coordinate data *will not be executed.*” See column 3 lines 14-15 of Nagao (emphasis added).

The combination of Cobo and Nagao does not teach all of the elements of independent claims 1 and 8. As such, it is respectfully asserted that claims 1 and 8 are

allowable for at least the reasons set forth above. Claims 4-7 and 12-14 depend from either claim 1 or claim 8 and are allowable for at least the reasons set forth above.

In the personal interview the Examiner agreed with the arguments set forth above. In particular, the examiner stated the following in the Interview Summary

Cobo et al. and Nagao do not teach "delivering the desired command signal and the controlled parameter undesired command signal to at least one output." Therefore, the claimed invention overcome the prior art.

Additionally, claims 2-3, 9-11, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cobo et al. in view of Nagao, and further in view of additional references. The additional references do not cure the deficiencies noted above with respect to independent claims 1 and 8. Accordingly dependent claims 2-3, 9-11, and 15 are allowable for the reasons set forth above as well as for certain additional claimed features.

Conclusion

Applicants respectfully request reconsideration and allowance of pending claims 1-15. As noted above, the Examiner agreed during the personal interview that the pending claims overcome the cited prior art.

The Office Action contains characterizations of the claims and the related art, with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

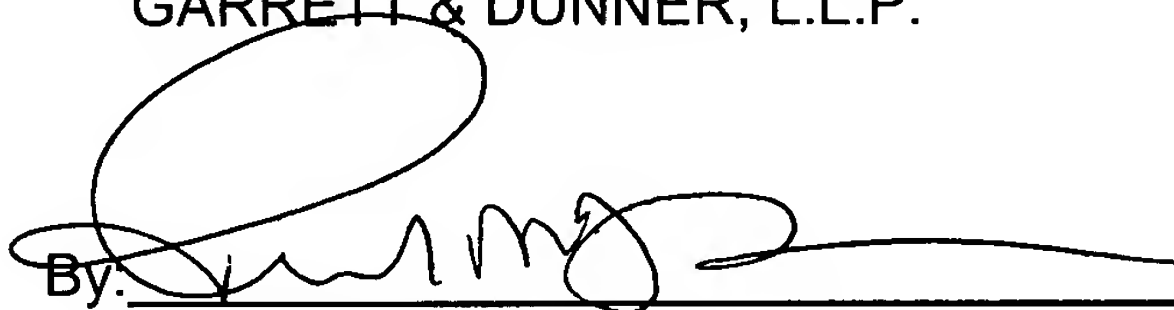
If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicants' undersigned attorney at 202-408-4469.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 13, 2005

By: 

Roland G. McAndrews
Reg. No. 41,450